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[New Hampshire Code of Administrative Rules](#)
[Env-A 1800](#)

CHAPTER Env-A 1800 ASBESTOS MANAGEMENT AND CONTROL

Statutory Authority: RSA 141-E:4,II

PART Env-A 1801 PURPOSE

Env-A 1801.01 Purpose. This chapter is adopted for the purpose of regulating asbestos abatement activities. It is intended, in conjunction with N.H. Administrative Rules Chapter He-P 5000, adopted by the Department of Health and Human Services, to protect the health of the general public by ensuring that asbestos is managed responsibly.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1802 SCOPE

Env-A 1802.01 Scope. This chapter shall apply to any person who owns or operates any facility with RACM on the premises, and any person involved in asbestos abatement activities, including analytical laboratories, consultants and asbestos abatement contractors.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1802.02 Homeowners.

(a) The owner of a private, single-family residence occupied by the owner who performs asbestos abatement activities on the residence shall not be subject to Env-A 1800, except as noted in (b) below, provided the owner personally performs the work and the work is not done within 6 months of selling the home.

(b) The owner shall comply with Env-A 1805.06 and Env-A 1805.07.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1803 NOTIFICATION

Env-A 1803.01 Major Asbestos Abatement Projects. Each facility operator shall provide written notification to the division, the EPA Regional office, and the city/town health officer, as applicable for the worksite location, in accordance with this part at least 10 working days before asbestos abatement activity begins at any major asbestos abatement project.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.02 Minor Asbestos Abatement Projects. Notification to the division and the EPA shall not be required for any minor asbestos abatement projects.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.03 Demolitions. Each facility operator shall provide written notification to the division, the EPA Regional office, and to the city/town health officer, as applicable to the worksite location, in accordance with Env-A 1803.06 at least 10 working days before any demolition activity begins. This notification shall be required regardless of the amount of ACM, if any, that is contained in the facility.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.04 Annual Notification.

(a) In the event that a facility undergoes frequent Class S major asbestos abatement, the operator may file an annual notification to cover the period from January 1 of a calendar year to December 31 of the same year.

(b) Such annual notification shall be made at least 10 working days prior to the start of the new calendar year.

(c) Each other individual major asbestos abatement project occurring at the facility shall require individual notification as described in Env-A 1803.01.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.05 Emergency Asbestos Abatement Projects. For emergency asbestos abatement projects, the operator shall:

(a) Notify the division as early as possible prior to abatement or within 24 hours of the beginning of every asbestos abatement activity with information required under this part.

(b) Provide written notification in accordance with this part to the division no later than 48 hours after the beginning of an emergency asbestos abatement.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.06 Information Required; Notification Violations.

(a) The operator shall specify in the notification all items listed pursuant to 40 CFR 61.145(b)(4).

(b) The operator shall present the information required under this part in the format pursuant to 40 CFR 61.145(b)(5).

(c) Any additional information not specifically required by this part, but where necessary to completely describe the scope of the project, shall be provided on separate paper.

(d) Hours of operations shall be included on the notification document.

(e) Facilities using annual notifications shall provide the division with quarterly reports of activities performed under such annual notification, which shall include dates of removal, amounts and kinds of ACM removed, and disposal site used.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.07 Revised Notification Asbestos abatement activities occurring outside the starting and completion dates shall be a violation of this notification requirement unless a revised notification is received by the division prior to the revised or original start date, whichever is earlier, or prior to the original completion date in the event of an extension or overrun.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1803.08 Fees.

(a) Each written notification to the division shall be accompanied by the fee specified in (c), below, as applicable to the notification being submitted.

(b) Payment shall be in the form of a check or money order made payable to "Treasurer, State of New Hampshire".

(c) Notification fees shall be as follows:

- (1) For a notification of a major asbestos abatement project - class N, \$200;
- (2) For a notification of a major asbestos abatement project - class S, \$25;
- (3) For an annual notification pursuant to Env-A 1803.04, \$1500; and
- (4) For a revised notification pursuant to Env-A 1803.07, \$10.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1804 INSPECTION PROVISIONS

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.01 Inspections. Prior to undertaking any demolition or renovation as defined by this chapter, each facility operator shall provide for an inspection, by a competent person, of the affected portion(s) of the facility for the presence of ACM.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.02 Right of Entry. Pursuant to RSA 141-E:13, the commissioner shall, when deemed necessary to assure compliance with RSA 141-E:9 or any rule in chapter Env-A 1800, upon presenting appropriate credentials and at any reasonable time:

- (a) Enter any asbestos abatement worksite;
- (b) Inspect and obtain samples from the workplace and the environment for the purpose of ensuring compliance with this chapter; and
- (c) Request, inspect, and record information, test results or other documents relating to the asbestos abatement activity.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.03 Documents To Be Retained On-site. Each facility operator subject to the requirements of this part shall retain the following documents on-site for the duration of the asbestos abatement project:

- (a) A current copy of these rules;
- (b) Copies of the decontamination procedures used for the decontamination enclosure system required by Env-A 1805.05 or any other procedures which have been established to prevent contamination of areas outside the work area;
- (c) Copies of procedures to be followed during medical or fire emergencies, including phone numbers of the nearest emergency facilities;
- (d) Copies of all licenses, certificates or other proof of training held by all supervisors and workers engaged in the asbestos abatement project;
- (e) Records of all project-related air sampling results.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.04 Retention of Records. The facility operator shall make the records described in Env-A 1804.05 available to the division upon request. Records shall not be destroyed unless they are more than 30 years old, dated from the completion of the asbestos abatement project.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.05 Required Records.

(a) Each facility operator subject to the requirements of this part shall record and maintain the following information for each project:

- (1) The name, title, address, and social security number of each supervisor and worker participating in the project;
- (2) The address of the project;
- (3) The work plan for the project;
- (4) The estimated amount of ACM involved in the project;
- (5) The scheduled and actual starting and completion dates and, if an actual date differs from the date originally scheduled, a statement of reasons for the difference(s);
- (6) Documentation of compliance with all applicable requirements of this chapter;
- (7) Copies of all asbestos-related correspondence with the division and other state and federal agencies concerning the project, including but not limited to building or demolition permits, notices of violation, or other documents relating to permits;
- (8) The name and address of the asbestos disposal facility to which the ACM was taken;
- (9) The methodology and results of all air sampling conducted during the abatement process, the name and address of any consultant hired to perform such sampling, and the name and address of any analytical service employed to analyze such samples; and

(10) Descriptions of worksite accidents and unplanned or planned exposures to asbestos.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1804.06 Disposal Only. Each person contracting for services solely for the disposal of asbestos shall provide prior notice to the division with the following information:

- (a) Contractor's name and address;
- (b) Operator's name and address;
- (c) Address where the ACM is located;
- (d) Date when the contractor was first contacted regarding the service;
- (e) Date when ACM will be picked up;
- (f) Name and address of the disposal site; and
- (g) Quantities of ACM to be disposed.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1805 WORK PRACTICE REQUIREMENTS

Env-A 1805.01 Requirements for Major Asbestos Abatement Projects. Each operator of a facility at which major asbestos abatement activity is or may be undertaken shall ensure compliance with this part.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.02 Asbestos Abatement Project Personnel. Personnel involved in any major asbestos abatement projects shall be licensed and certified in accordance with N.H. Administrative Rule He-P 5000.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.03 Site Preparation. Prior to the start of the abatement, the operator shall ensure the following:

- (a) Operators shall post telephone numbers of the nearest emergency facilities within three feet of the nearest telephone.
- (b) Contaminated areas shall be isolated from uncontaminated areas by air-tight barriers. All openings, between the work area and uncontaminated areas including but not limited to windows, doorways, elevator openings, corridor entrances, ventilation openings, drains, ducts, grills, grates, diffusers and skylights, but excluding the decontamination enclosure system doorways, shall be sealed air-tight with a minimum of 6 mil sheeting.
- (c) Warning signs shall be posted at all entrances to the work area.
- (d) All movable objects shall be removed from the work area. Contaminated items shall be cleaned if

the item is to be salvaged or reused. Otherwise the item shall be properly disposed of as asbestos waste. All non-movable objects in the work area shall be cleaned, then covered with a minimum 4 mil sheeting secured into place.

(e) Sheeting shall be installed as follows:

- (1) All uncontaminated floors, walls, and ceiling surfaces in the work areas shall be completely covered with sheeting, sized and installed so as to minimize seams;
- (2) No sheeting seams shall be located at any floor/wall or ceiling/wall corners;
- (3) Floor sheeting shall consist of 2 layers of 6 mil sheeting, extend at least 12 inches up each wall;
- (4) Wall sheeting shall consist of one layer of 4 mil. sheeting, and shall extend at least 12 inches across the floor; and
- (5) Ceiling sheeting shall consist of one layer of 4 mil sheeting, and shall extend at least 12 inches down each wall.

(f) All HVAC equipment in or passing through the work area shall be turned off, and measures shall be taken to prevent accidental start-ups. All intake and exhaust openings and any seams in system components shall be sealed with sheeting of at least 6 mil or tape. All system filters shall be replaced at the completion of the abatement and the old filters shall be disposed of as asbestos waste pursuant to Env-A 1805.07.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.04 Work Area Ventilation.

(a) The work area shall be served by a sufficient number of negative pressure ventilation units with HEPA filtration to provide one containment area air change every 15 minutes.

(b) The unit(s) shall be operated to maintain a static pressure differential of 0.02 inches water gauge for the duration of the project, meaning from the time that barrier construction is completed through the time acceptable final clean air monitoring results are obtained.

(c) The negative pressure ventilation units shall exhaust filtered air to the outside of the facility wherever practical.

(d) If exhausted to interior spaces, the exhaust shall be monitored for fiber release by:

- (1) Using a continuous, direct reading instrument equipped with a chart recorder, located at the exhaust; or
- (2) By taking daily air samples at the exhaust and having them analyzed, as described in 1805.08(e), as expeditiously as practical, but no more than 24 hours after sampling.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.05 Worker Decontamination Enclosure System.

- (a) Each asbestos abatement site shall have a worker decontamination enclosure system.
- (b) The worker decontamination enclosure systems shall consist of a clean room, shower room and equipment room, each separated from each other by doorways with at least 2 overlapping sheets.
- (c) The shower room shall have running water that is at least 85 F or can be mixed at the tap to achieve 85 F.
- (d) Shower waste water shall be collected, and disposed of as asbestos waste or filtered through a 5 micron filter.
- (e) Except for the doorways, the worker decontamination enclosure system shall be airtight.
- (f) All entrances and exits from the work area shall be through the decontamination enclosure system. Workers shall thoroughly shower so as to remove all asbestos fibers before entering the clean room. No asbestos-contaminated individuals or items shall enter the clean room.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.06 Asbestos Removal Procedures.

- (a) All ACM shall be thoroughly wetted before removal, and shall be maintained wet during and after removal until placed into leak-tight containers for disposal.
- (b) All ACM shall be carefully lowered to the ground or floor, not dropped or thrown.
- (c) Structural members not previously stripped of ACM shall be removed intact or in large sections whenever possible and carefully lowered to the floor.
- (d) ACM that is not associated with structural members shall be removed in small sections and containerized while wet. At no time shall material be allowed to accumulate on the floor.
- (e) Following removal, the operator shall perform cleanup procedures using repeated HEPA vacuuming and wet cleaning techniques until no visible residue is observed in the work area. Any vacuum used during the project shall be equipped with HEPA filtration.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.07 Disposal. Operators shall perform the following prior to transport for disposal:

- (a) ACM shall be placed wet into water-tight containers for transport to a landfill. Container integrity shall be maintained. Double impermeable bags of at least 6 mil thickness each, which can be securely sealed may be used for waste.
- (b) Large components or structural members removed intact shall be wrapped air-tight in 2 layers of 6 mil sheeting secured with tape for disposal.
- (c) All containers, including bags, drums, and wrapped components, shall be labeled in accordance with 40 CFR 61.150 and shall be manifested pursuant to 40 CFR 61.150(d).

(d) Disposal of ACM in New Hampshire shall occur only at a location licensed to receive asbestos waste by the waste management division of the department of environmental services.

(e) Disposal of ACM outside of New Hampshire shall occur only at a location approved to receive asbestos waste by the designated agency having jurisdiction over solid/special waste disposal at that location.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.08 Clearance Testing.

(a) At the completion of asbestos abatement projects, but prior to dismantling the containment and decontamination systems, clearance air sampling shall be conducted by an independent industrial hygienist.

(b) The operator shall take sufficient volumes of air for clearance sampling sufficient to accurately determine, to a 95 percent probability, fiber concentrations to 0.01 fibers/cubic centimeter (f/cc) of air.

(c) Clearance air sampling shall be done no sooner than the earlier of 6 hours from the time the cleanup procedures of wet wiping and HEPA vacuuming are completed, or such time as all surfaces in the work area have dried. If all work area surfaces are dry at the completion of the cleanup procedures, no waiting period shall be required prior to beginning air sampling.

(d) Aggressive sampling, as defined in Env-A 101, shall be used to ensure that any fibers deposited on surfaces within the work area are included in the sample. In areas where all uncontaminated wall, ceiling and floor surfaces in the work area are not covered with poly sheeting, non-aggressive sampling shall be used.

(e) The containment and worker decontamination system shall not be dismantled until clearance air sampling demonstrates the presence of no more than 0.01 fibers of length greater than 5 microns per cubic centimeter of air as determined by NIOSH Phase Contrast Optical Microscopy Method 7400.

(f) The industrial hygienist shall provide copies of the clearance air sampling results to the division within 30 days of the date of clearance air sampling.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.09 Specific Requirements for Demolition.

(a) Prior to any demolition, including demolition by intentional burning of a structure or portion of a structure that contains RACM, all RACM shall be removed in accordance with the applicable provisions of this chapter subject to (b), below.

(b) For clearance air sampling as described in Env-A 1805.08, an acceptable result shall be 0.1 fibers of length greater than 5 microns per cubic centimeter of air as determined by NIOSH Phase Contrast Optical Microscopy, Method 7400.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.10 Specific Requirements for Enclosure of ACM. When an operator chooses to enclose ACM, the operator shall do the following:

- (a) Notify and pay the fee in accordance with Env-A 1803.
- (b) Prior to enclosure, remove loose and hanging ACM in accordance with applicable requirements.
- (c) Ensure that enclosures are airtight and of permanent construction, so that the area being enclosed is inaccessible.
- (d) Prior to commencing work, wet all ACM that has the potential to be disturbed during the installation of hangers, brackets or other portions of the enclosure.
- (e) Designate enclosures for ACM by signs, labels, color coding, or some other mechanism to warn individuals who may be required to enter or disturb the enclosure.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.11 Specific Requirements for Encapsulation of ACM. When an operator chooses to encapsulate ACM, the operator must do the following:

- (a) Notification and fee payment shall be made in accordance with Env-A 1803.
- (b) Filler material applied to gaps in existing material shall contain no asbestos, shall adhere well to the substrate, and shall provide a suitable base for the encapsulant.
- (c) Prior to encapsulation, loose and hanging ACM shall be removed in accordance with applicable provisions of this chapter.
- (d) Encapsulants shall be applied using only low pressure airless spray equipment with nozzle pressure and tip size set according to the manufacturer's recommendations.
- (e) Encapsulated materials shall be specifically designated by signs, labels, color coding, or some other mechanism to warn individuals who may in the future be required to disturb the material.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1805.12 Minor Asbestos Abatement Projects. All persons performing a minor asbestos abatement project shall take the following precautions at a minimum to prevent the release of asbestos fibers into the ambient air:

- (a) Barriers including glovebags shall be installed for minor asbestos abatement projects to assure that fibers released during abatement activities are contained within the work area.
- (b) All ACM shall be wetted prior to being disturbed, and shall be kept wet until it is containerized.
- (c) HEPA vacuum equipment and wet cleaning techniques shall be used to clean up the work area following abatement until no visible residue is observed.
- (d) Prior to disposal, ACM shall be containerized in accordance with Env-A 1805.07 in air-tight containers and labeled in accordance with 40 CFR 61.150.
- (e) The containerized waste shall be transported to and disposed of at a state licensed asbestos waste

disposal facility.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1806 ALTERNATIVE WORK PRACTICES

Env-A 1806.01 Glovebags.

- (a) Glovebags may be used only in accordance with this chapter.
- (b) Glovebags shall only be used under such conditions that their use will not threaten any release of fibers at locations outside of the glovebag.
- (c) Glovebag procedures shall conform to the requirements of 29 CFR 1926.1011(g)(5)(ii)(1) through (8), August 23, 1996.
- (d) At least one worker actively employed in the glovebag procedure shall be monitored for breathing zone fiber exposure levels throughout the duration of the procedure.
- (e) Following completion of a glovebag procedure or series of glovebag procedures in a contiguous area, clearance air sampling shall be conducted in accordance with the requirements of Env-A 1805.08.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

Env-A 1806.02 Alternative Procedures.

- (a) The division shall approve an alternative procedure for control of emissions from an asbestos abatement activity, including exemption from wet removal, provided the operator satisfies (b) through (d), below.
- (b) The operator shall submit to the division a written request for use of an alternative procedure at least 10 days in advance of the proposed starting date for such abatement. Requests shall include all information identified at Env-A 1804.01, and shall provide such additional information as is necessary to identify the unique aspects of the project which led to the request.
- (c) The division shall approve the alternative if:
 - (1) The alternative procedure provides an equivalent or greater measure of control of asbestos fiber release than the procedure required by these rules; or
 - (2) Using the alternative creates a lower potential hazard to life, health and property than using the procedures required by these rules.
- (d) No work using an alternative procedure shall begin without the written approval of the division.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)

PART Env-A 1807 NATIONAL EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS

Env-A 1807.01 Federal Regulation. Under the authority of RSA 141-E:4,II(a)(3), the commissioner

hereby adopts as a rule Federal Regulation 40 CFR 61, Subpart M, July 1, 1992, except that:

- (a) The definition of "asbestos" is not adopted;
- (b) The definition of "asbestos-containing material cutting" is not adopted;
- (c) The definition of "facility" is not adopted;
- (d) The definition of "owner or operator of a demolition or renovation activity" is not adopted;
- (e) The definition of "regulated asbestos-containing material" is not adopted; and
- (f) Paragraphs 61.145(c)(1)(i), 61.145(c)(1)(ii), 61.145(c)(1)(iv), 61.145(c)(7), 61.150(a)(5), 61.150(b)(3), 61.151(a), 61.154(a), 61.154(c), 61.154(d), and 61.157 are not adopted.

Source. #6482-B, eff 4-1-97 (formerly Env-C 400)